IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.3898 OF 2005

IN

SUIT NO.3183 OF 2005

...

M/s.Niti Developers & Anr. ...Plaintiffs

v/s.

Chembur Vrindavan Palace
co.op.Hsg. Society Ltd. & ors. ...Defendants

...

Mr.H.S.S.Murthy for the Plaintiffs.

None for the Defendants.

...

CORAM: D.K.DESHMUKH, J.

DATED: 29TH JUNE, 2007

P.C.:

The learned Counsel appearing for the Plaintiff states that no relief is claimed against the Defendant No.2 in the motion, therefore, he seeks leave to delete the name of Defendant No.2 from the motion.

Leave is granted.

He further states that the Defendants Nos. 1 & 3 have been served. Defendant No.3 is represented by lawyer. There is no relief claimed against Defendant No.3. Defendant No.1 has been served. None appears for the Defendant No.1. No reply has been filed. The learned Counsel appearing for the Plaintiff undertakes to file affidavit of service within one week from today.

In the absence of any reply from the Defendant No.1, accepting the averments made in the affidavit filed in support of the Notice of Motion at their face value, ad-interim order dated 22-12-2005 is

confirmed. Motion disposed of.

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